

REMARKS

Applicants thank the Examiner for consideration given the present application. Claims 1-9 are currently pending. Claim 1 has been amended through this reply. Claim 1 is independent. Applicants respectfully request reconsideration of the rejected claims in light of the amendments and remarks presented herein, and earnestly seek timely allowance of all pending claims.

Objection to the Claims

The Office Action objects to claim 1. Claim 1 has been amended in accordance with the Examiner's suggestion. Withdrawal of the objection is respectfully requested.

The Claims Define Patentable Subject Matter

The Office Action rejects claims 1-8 under 35 U.S.C. § 103(a) over Japanese Patent Publication No. 2003-345114 to Tsuda in view of U.S. Patent No. 6,963,713 to Isomura et al. (Isomura); and rejects claim 9 under 35 U.S.C. § 103(a) over Tsuda in view of Japanese Patent Publication No. 08-339115 to Iguchi in view of Isomura. These rejections are respectfully traversed.

Independent claim 1 recites, *inter alia*, "a concavity sinking inward in a radial direction including a discharge hole, the discharge hole being located on downstream end wall portion in rotation direction of the concavity, wherein an opening area of the discharge hole is formed to be smaller than an area of the end wall portion." The applied references fail to teach or suggest the recited features of independent claim 1.

Tsuda discloses toner container 1 including a toner transport part 5 for transporting toner stored inside the container toward a toner ejecting opening 2a. See solution and Figure 1 of Tsuda. The Office Action acknowledges that Tsuda does not disclose a discharge hole being substantially in the middle portion of the main body. Iguchi discloses a discharge port 12 provided in the periphery surface in the central part of a cylindrical container main body 11 housing the developer. See constitution and Figure 3 of Iguchi. However, the discharge port is

located in the periphery surface the container and not within a concavity nor is it located on the downstream end portion in the rotation direction of the concavity. Isomura fails to cure the deficiencies of Tsuda and Iguchi.

In the present invention, the developer is discharged so as to be diffused in the neighborhood of the discharge hole 43. Thus, the developer can be made into powder. Also, even when the quantity of the developer contained in the container main body 31 is very small, the developer can easily flow into the downstream portion in the rotation direction R via the discharge hole 43. See page 32, line 16 through page 34, line 20 of the specification.

Moreover, independent claim 1 recites, *inter alia*, “a length in the extending direction of each conveying portion is not less than 1/16 and not more than 3/8 of an inner circumferential length of the container main body.”

The Office Action states that it would have been obvious for one skilled in the art to modify the invention of Tsuda such that each conveying portion is disconnected from the others, since providing a gap between adjacent conveying portions enables one to efficiently loosen or fluff the developer in the container, as noted by Isomura. Furthermore, the Office Action states that it would have been obvious to modify the combined invention of Tsuda and Isomura such that a length in the extending direction of each conveying portion is designed similarly to the present invention through experimenting to optimize performance of the conveying portion. These positions are respectfully traversed.

As presented in the amendment filed on May 30, 2008, “when the length A36 in the first extending direction of the first projection piece 36 and the length A39 in the second extending direction of the second projection piece 39 are longer than 3/8 of the inner circumferential length of the first container segment 33 and the inner circumferential length of the second container segment 34, the strength of the container main body 31 is decreased, which is not preferable”. In other words, the length in the extending direction of each conveying portion of the invention is designed not only to efficiently loosen or fluff the developer in the container but also to not decrease the strength of the container main body. Tsuda and Isomura do not consider the

strength of the container main body at all. Accordingly, the applied references, alone or in any combination, fail to teach or suggest the recited features of independent claim 1.

For at least the reasons stated above, independent claim 1 is patentably distinct from the applied references. The dependent claims are at least allowable by virtue of their dependency on corresponding allowable independent claim 1.

Accordingly, withdrawal of the rejections of the claims based on the applied references is respectfully requested.

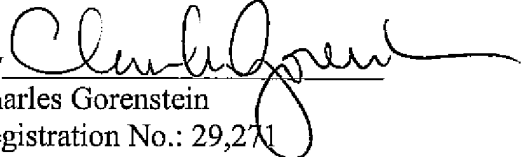
Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Obert H. Chu Reg. No. 52,744 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

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Respectfully submitted,

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